



Special Notice

Attention: Distributors, Brokers, Producers, Jobbers, and Retail Sellers of Motor Vehicle Fuel (Gasoline), Diesel Fuel, Aircraft Jet Fuel, or Other Qualifying Fuels

Sales Tax Prepayment Rate Adjusted for 2001

Effective April 1, 2001, the prepayment rates for fuels (per gallon) will be as follows:

Motor Vehicle fuel (gasoline)	9.5 cents (\$0.095)
Aircraft jet fuel	5.0 cents (\$0.05)
Diesel and other qualifying fuels	8.0 cents (\$0.08)

"Other qualifying fuels" include kerosene, any type of flammable liquid sold or marketed as diesel fuel, and home heating oil meeting industry specifications for diesel no. 1 or no. 2.

These rates are scheduled to remain in effect through March 31, 2002; however, they may be adjusted if the price of these fuels increases or decreases and results in prepayments that consistently exceed or are significantly lower than the fuel retailer's sales tax liability. The Board of Equalization is required, by November 1 each year, to establish the prepayment tax rate for the above fuels.

Sales tax prepayments do not apply to liquefied petroleum gas, compressed natural gas, liquid natural gas, and methanol and ethanol containing not more than 15 percent gasoline or diesel fuel. In addition, prepayments do not apply to any type of fuel that cannot be used to operate a motor vehicle on public highways.

How the Rates Are Determined

The amount of prepayment for motor vehicle fuels, aircraft jet fuel, diesel fuel, and other qualifying fuels must equal 80 percent of the combined state and local sales taxes due on the average per gallon selling price for each fuel type, as determined by the State Energy Resources Conservation and Development Commission.

In past years, the rates for all qualifying fuels were based on the prepayment rate of motor vehicle fuel. However, recent market fluctuations resulted in sales tax prepayments exceeding the actual liability for some periods. In response, legislation was adopted in 1999 to enable the Board of Equalization to develop the prepayment rates independently of one another.

Questions?

Sales Tax Prepayment Rate. Call our Information Center at 1-800-400-7115. Staff are available from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding State holidays.

Refueling Services for Disabled Customers. Call the California Assistive Technology System at (800) 390-2699.

Retailers - Fueling Services for Disabled Customers

The Business and Professions Code, section 13660, requires service station operators and other motor vehicle fuel sellers to provide fueling service at the pump to customers with disabilities (see note below for exceptions). The Code also requires sellers to charge no more than the self-service price for sales to their disabled customers. Consequently, if you provide fueling service at the pump to a disabled customer, you cannot charge more than the self-service (tax-included) price. "Disabled drivers" are considered to be drivers who display a Department of Motor Vehicles disabled person's plate or placard, or a disabled veteran's plate.

Generally, you are required to post the following notice in a conspicuous location:

Service to Disabled Persons

Disabled individuals properly displaying a disabled person's plate or placard, issued by the Department of Motor Vehicles, are entitled to request and receive refueling service at this service station for which they may not be charged more than the self-service price. For information regarding enforcement of laws providing for access to refueling services for persons with disabilities, you may call the California Assistive Technology System at (800) 390-2699.

If refueling service for disabled persons is limited to certain hours, the above notice shall also specify those hours. (**Note:** You are not required to provide refueling service for disabled individuals during any period of time when only one employee is on duty, or during a time when two employees are on duty, and one of them is assigned exclusively to the preparation of food.)

If you are not required to provide refueling service during *any* hours of operation, you are required to post, in a single location, the following notice in a manner that is conspicuous to the driver seeking refueling service:

No Service for Disabled Persons

This service station does not provide refueling service for disabled individuals. For information regarding enforcement of laws providing for access to refueling services for persons with disabilities, you may call the California Assistive Technology System at (800) 390-2699.

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